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Dated: 8/15/05 Signature: *[Signature]*
(Susan Lanney)

Docket No.: JJJ-P01-599
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hruska et al.

Application No.: 10/650326

Confirmation No.: 6882

Filed: August 28, 2003

Art Unit: 1614

For: CONJOINT ADMINISTRATION OF
MORPHOGENS AND ACE INHIBITORS IN
TREATMENT OF CHRONIC RENAL
FAILURE

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATION CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

MS Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated April 14, 2005. A request for an extension of time and Transmittal of Substitute Sequence Listing is being submitted currently herewith.

The U.S. Patent and Trademark Office has taken the position that the previous "Sequence Listing" in computer readable form did not comply with the requirements of Section 1.824 for the stated reason that it contained several raw sequence listing errors. Submitted herewith in connection with the above-referenced patent application is a substitute, computer readable copy of the Sequence Listing that corrects the defects noted in the raw sequence listing. No new matter has been added to the substitute Sequence Listing.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/650,326	08/28/2003	Keith A. Hruska	JJJ-P01-599

28120
 FISH & NEAVE IP GROUP
 ROPES & GRAY LLP
 ONE INTERNATIONAL PLACE
 BOSTON, MA 02110-2624

CONFIRMATION NO. 6882

FORMALITIES LETTER



OC000000015749218

Date Mailed: 04/14/2005

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

To Download Patentin Software, visit <http://www.uspto.gov/web/patents/software.htm>

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Shumap

Office of Initial Patent Examination (703) 308-1202

PART 3 - OFFICE COPY

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Dated: 8/15/05

Signature: 

(Susan Lanney)

Docket No.: JJJ-P01-599
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hruska et al.

Application No.: 10/650326

Confirmation No.: 6882

Filed: August 28, 2003

Art Unit: 1614

For: CONJOINT ADMINISTRATION OF
MORPHOGENS AND ACE INHIBITORS IN
TREATMENT OF CHRONIC RENAL
FAILURE

Examiner: Not Yet Assigned

TRANSMITTAL OF SUBSTITUTE SEQUENCE LISTING

MS Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This substitute Sequence Listing is submitted in response to the Notice To Comply from the patent Office on April 14, 2005. A copy of the Notice is attached.

The Notice provides a period of two months for filing a reply. Therefore, a reply was due June 14, 2005. Applicants are concurrently petitioning for a two-month extension of time, extending the period for response to August 14, 2005. However, since August 14, 2005 was a Sunday, this amendment is timely filed on the next succeeding business day that is not a holiday, Saturday or Sunday, pursuant to 37 C.F.R. 1.7, *i.e.* on August 15, 2005.

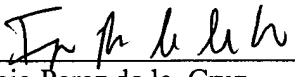
Transmitted herewith is a copy of a Substitute Sequence Listing in a paper form (sheets 1/69 through 69/69) comprising SEQ ID NOS: 1-31 for the above-identified patent application as required by 37 C.F.R. 1.82(a) and 1.821(c), and a copy of the Substitute Sequence Listing in computer readable form as required by 37 C.F.R. 1.825(b) and 1.821(e). Please replace the

Sequence Listing filed on April 19, 2004 (43 pages) with the attached Substitute Sequence Listing.

As required by 37 C.F.R. 1.825(b), Applicants' Attorney hereby states that the contents of the Substitute Sequence Listing in paper form and in the computer readable form submitted herewith are the same and, as required by 37 C.F.R. 1.825(a), also states that the submission includes no new matter.

Dated: August 15, 2005

Respectfully submitted,

By 
Ignacio Perez de la Cruz

Registration No.: 55,535
ROPES & GRAY LLP
One International Place
Boston, Massachusetts 02110-2624
(617) 951-7000
(617) 951-7050 (Fax)
Attorneys/Agents For Applicant



PTO/SB/17 (12-04v2)
Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete if Known	
FEE TRANSMITTAL For FY 2005		Application Number	10/650326
		Filing Date	August 28, 2003
		First Named Inventor	Keith A. Hruska
		Examiner Name	Not Yet Assigned
		Art Unit	1614
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	JJJ-P01-599
TOTAL AMOUNT OF PAYMENT		(\$)	450.00

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: <u>18-1945</u> Deposit Account Name: <u>Ropes & Gray LLP</u>
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
						Fee (\$)	Small Entity Fee (\$)
Fee Description							
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
_____		_____	_____	_____	Fee (\$)		Fee Paid (\$)
_____		_____	_____	_____	_____		_____
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
_____		_____	_____	_____			
_____		_____	_____	_____			
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof			Fee (\$)	Fee Paid (\$)	
_____	_____	/50 _____ (round up to a whole number) x _____			_____	_____	
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)						Fees Paid (\$)	
Other (e.g., late filing surcharge): 1252 Extension for response within second month						450.00	

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	55,535
Name (Print/Type)	Ignacio Perez de la Cruz	Telephone	(617) 951-7289
		Date	August 15, 2005

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Dated: 8/15/05

Signature: (Susan Lanney)

Application No.: 10/650326

Docket No.: JJJ-P01-599

Applicants respectfully request the above-referenced patent application be placed upon the files for examination.

Applicant believes no fee is due with this response in addition to the \$450 fee for a two-month extension of time. However, if an additional fee is due, please charge our Deposit Account No. 18-1945, under Order No. JJJ-P01-599 from which the undersigned is authorized to draw.

Dated: August 15, 2005

Respectfully submitted,

By Ignacio Perez de la Cruz

Ignacio Perez de la Cruz

Registration No.: 55,535

ROPES & GRAY LLP

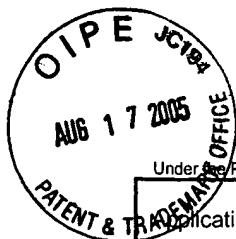
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Attorneys/Agents For Applicant



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PTO/SB/92 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Application No. (if known): 10/650326

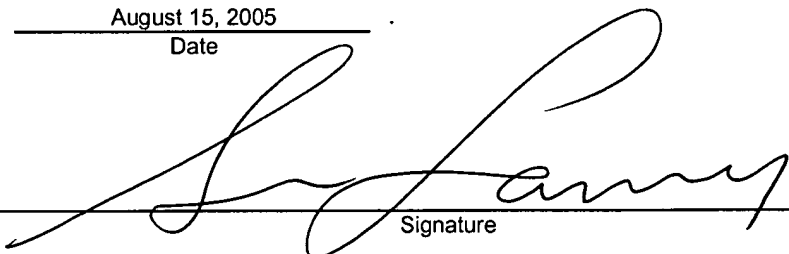
Attorney Docket No.: JJJ-P01-599

Certificate of Mailing under 37 CFR 1.8

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on August 15, 2005
Date



Signature

Susan Lanney

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 951-7000
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Substitute Sequence Listing (69 pages)
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